

Ordinance 2015-28

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AMENDING CHAPTER 28 “ZONING” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN REGARDING HOME-BASED BUSINESSES

WHEREAS, the Borough recognizes the importance of and the increase in home-based businesses; and

WHEREAS, the Borough desires to provide standards and requirements for home-based businesses to maintain the residential character of its residential zones; and

WHEREAS, the Zoning Officer and Planning Board Subcommittee have made certain recommendations for revisions to Chapter 28 of the Borough Revised General Ordinances of the Borough of Hightstown; and

WHEREAS, the Planning Board has reviewed and concurs with these recommendations;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown as follows:

Section 1. Section 28-3-5 “Residential District” is hereby amended as follows (underline for additions, strikethroughs for deletions):

Subsection 28-3-5-1a2 is amended as follows:

(c) Home-based occupations as defined in Section 28-10-6 and professional offices ~~and other home occupations~~, provided that the professional resides on the premises, and further provided that no more than one nonresident employee shall be permitted.

Section 2. Subsection 28-10-6 “Home Occupations” is re-titled “Home-Based Occupations” and amended as follows (deletions are shown by strikethroughs, additions are shown by underlines):

Home-based Customary home occupations shall be defined as permitted, provided that:

a. ~~A business~~ They are The home-based occupation is carried on entirely within a dwelling ~~or an accessory structure~~ and solely by the inhabitants thereof.

b. The use is clearly incidental and secondary to the use of the building for dwelling purposes and does not change the character thereof ~~nor constitute more than one (1) floor of the principal building.~~

c. As examples, the following businesses shall not be considered acceptable home-based occupations: ~~Such home occupation shall exclude~~ barbershops, beauty parlors, clinics, hospitals, eating and drinking establishments, real estate and insurance offices, motor vehicle repair shops, any business that receives product from third-parties solely for distribution to purchasers of the delivered product, any business that negatively affects the environment on neighboring properties ~~offices~~ or other similar operations which generate customer or delivery service activity comparable to a business.

d. No more than one commercial vehicle (a vehicle either with the name of the business displayed, permanently or temporarily, on it or with commercial plates) may be parked on the property where the home-based occupation takes place.

e. No vehicle weighing in excess of 9,000 pounds GVW shall be parked on the property where the home-based occupation takes place.

Section 3. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 5. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Introduced: November 16, 2015

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence Quattrone
Mayor